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T.N. 002004T ROOM

Honorable Deborah Taylor Tate, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

In Re: Complaint of MCImetro Access Transmission Services, LLC and Brooks
Fiber Communications of Tennessee, Inc. Against BellSouth for
Overcharging for High-Capacity Circuits
Docket No. 03-00145

Dear Chairman Tate:

Enclosed please find the original and fourteen (14) copies of MCImetro Access
Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc.'s Voluntary
Dismissal with Prejudice in the above-referenced docket. Copies have been served on BellSouth
Telecommunications, Inc.

Very truly yours,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By: 

James L. Murphy, III

JLM/sja
Enclosures

LAW OFFICES

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954858 v1
058100-034 5/28/2004

BEFORE THE TENNESSEE REGULATORY AUTHORITY

In the Matter of:

Complaint of MCImetro Access
Transmission Services, LLC and
Brooks Fiber Communications
of Tennessee, Inc. Against
BellSouth for Overcharging for
High-Capacity Circuits

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Docket No. 03-00145

VOLUNTARY DISMISSAL WITH PREJUDICE

MCImetro Access Transmission Services, LLC and Brooks Fiber Communications of Tennessee, Inc. (collectively, "MCI") and BellSouth Telecommunications, Inc. have settled the claims asserted by MCI in the Complaint filed in this docket. Accordingly, MCI hereby dismisses its Complaint with prejudice.

Respectfully submitted, this 1st day of June, 2004.

By: 

James L. Murphy, III
Boulton, Cummings, Conners & Berry PLC
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Nashville, Tennessee 37219
(615) 252-2303

Dulaney L. O'Roark III
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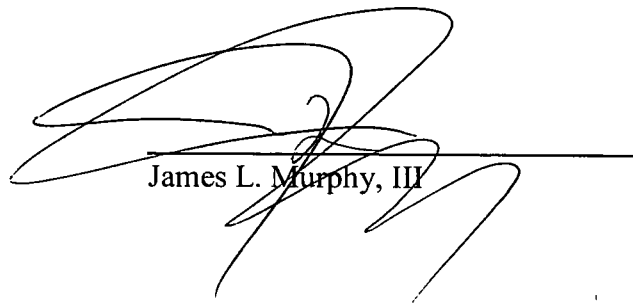
Attorneys for MCImetro Access
Transmission Services, LLC and Brooks
Fiber Communications of Tennessee, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and exact copy of the within and foregoing **VOLUNTARY DISMISSAL WITH PREJUDICE** via United States First Class Mail, postage paid and properly addressed to the following:

Guy Hicks, Esquire
Joelle J. Phillips, Esquire
BellSouth Telecommunications, Inc.
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300

This 1st day of June, 2004.



James L. Murphy, III